

ICF Comment #	Date Received	Chapter/ Appendix	Page(s)	Line(s)
2181	7/3/13	12	1	2
2182	7/3/13	12	Part 3 12- 21	10
2183	7/3/13	12	Part 3 12- 22	1-15
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2185	7/3/13	12	Part 3 12-23	27 & 28
2186	7/3/13	12	P3 12-23	28
2187	7/3/13	12	P3	All
2188	7/3/13	12	P3 12-25	5-9
2189	7/3/13	12	P3 12-32	21-23
2190	7/3/13	12	P3 12-38	22-36

Comment	Agency	Agency Type
Title of the chapter is confusing when compared to the content of the chapter. For example, the majority of natural communities evaluated are aquatic habitat, e.g, "tidal perennial aquatic." The majority of the species evaluated are terrestrial. Potentially renaming it or reorganizing some of the information in this chapter to other chapters would be more appropriate. Chapter 11 is the Fish and Aquatic Resources but it does not evaluate changes to aquatic habitat that are evaluated in the	USEPA	Cooperating
A comprehensive frame of reference for impacts should be provided. Each of the impact assessments states the percent impact of BDCP CMs compared to the amount of each natural community remaining. The example here is, "These modifications represent less than 1% of the 82,266 acres of the community that is mapped in the study area." This gives the impression that BDCP impacts are not very much to this natural community. However, it is not apparent to readers without knowledge of historical aquatic habitat losses, that the majority of Bay Delta natural aquatic communities have been eliminated. The recent Historical Delta Ecology Report provides estimates of pre-development natural communities in the Delta. These estimates should be provided to give the reader a more ecologically appropriate frame of reference in which to understand the estimated impacts from the proposed project. This would make it apparent that project impacts, whether they	USEPA	Cooperating
Actions that result in impacts to the aquatic natural communities described in this section and the other aquatic communities are not detailed. The Mapbook does not provide much more detail than the narrative description. Details regarding project impacts should include things such as: estimated impacts to waters of the US (acres and/or linear feet) from project activities that are specifically described (e.g., grading, dredging, trench and fill, boring, spoils piles, levee work, excavation, etc..), volume (yd3) of sediment proposed for disposal sites, volume (yd3) of sediment removal from waters for project impacts and expected maintenance dredging.	USEPA	Cooperating
Table 12-4-1 and other aquatic natural community tables, especially 12-4-5 & 12-4-6. Impacts to aquatic communities seem fairly low. Evaluating the mapbooks verifies very few aquatic communities mapped on Bouldin and Bacon Islands. There are Corps of Engineers CWA 404 project-level delineations for these islands for the Delta Wetlands Project	USEPA	Cooperating

We recommend adding text that explicitly states that other federal regulations under Section 404 of the CWA restrict permits to the alternative that maximizes avoidance and then provides compensatory mitigation.	USEPA	Cooperating
Here and other places in the document, aquatic natural community restoration is discussed with respect to eliminating any adverse affects under NEPA, assuming that the restoration is 100% successful. Is there an operating assumption that conservation CMs will be 100% successful? Is there an assumption of a success rate for any of the restoration projects? If so, those assumptions should be disclosed with supporting documentation. If not, a discussion of the success rate among restoration projects for each of the natural community types would be appropriate to provide the reader with context for understanding the potential success of restoration.	USEPA	Cooperating
Why are CEQA conclusion paragraphs identified and NEPA conclusion paragraphs are not titled?	USEPA	Cooperating
Is there information that tells us how much more often flows will be in the bypass and these floodplains will be activated? If so, could it be provided here to help the reader understand how often the bypass will be flooded and these benefits will be available for fish?	USEPA	Cooperating
Table 12-4-3 – Do estimates of impacts here and in the other aquatic habitat natural community tables include impacts from spoils and tunnel muck or other material that is dug up for the tunnel alignment and discharged in adjacent areas that may have wetlands or waters of the US?	USEPA	Cooperating
Are there quantitative estimates or details that support the conclusion that ongoing operation of new Delta conveyance would have no adverse effect on tidal freshwater emergent wetland natural community? The topic sentence of the paragraph indicates that operations and maintenance could alter acreage of this community by changes in flow patterns. Can this be explained in further detail including how these	USEPA	Cooperating

Response	Comment Type	Status	
This chapter is limited to terrestrial biological resources, including species. Some species occupy both terrestrial and aquatic habitats. The chapter addresses aquatic habitats in terms of their support for terrestrial species only. This has been clarified in the text.	E	D	
Historic trends in habitat loss are addressed at the beginning of the chapter, in Section 12.1.1. This provides the reader context regarding the overall decline in terrestrial habitats. Declines in Delta aquatic habitats are also described in Chapter 11. The references to percentages of remaining habitat give the reader a perspective to existing conditions in the study area, and are not the basis for impact conclusions. Impact conclusions are based on the overall ebb and flow of habitat availability during the life of the BDCP.	E	D	
The details of effects on waters of the US are included at the end of the impact discussions for each alternative, under the Other Biological Resources header (see Impact BIO-176). The EIR/EIS presents aggregated effects of CM1 facility components based on a project-level GIS analysis.	E	D	Discussion contained in Impact BIO-176 provides discussion on the impacts to waters of the US.
The detailed assessment of waters and wetlands is included at the end of each alternative discussion, under the General Biological Resources header.	E	D	

The reference to portions of Section 404 that deal with selection of the LEDPA are relevant to the completion of the ROD under NEPA and the permitting process. This information is not a part of the rationale for determining the significance of an adverse effect and mitigation required to offset the effect.	E	D	This is something that likely could be done for the Final EIR/EIS.
The assumption being made to determine whether the Plan will offset the effects of construction and operation is that the Plan goals will be fully met through the life of the Plan. There will undoubtedly be specific restoration projects where restoration success will be less than 100%. However, those acres that fail will not be count toward the Plan goal. The Plan will not achieve its goals until the successful restoration acreages are equivalent to the Plan goals.	E	D	
NEPA conclusions have been added to all impacts.	E	D	
Text has been added to state that increased flows would occur every three years.	I	D	
The direct effects of reusable tunnel material disposal are included in the CM1 direct effects impacts. Impacts on wetlands and waters of the US are discussed at the end of each alternative discussion.	I	N	
Text is being added to further explain the effects, or lack thereof, from ongoing operation of water facilities.	I	D	